

Attorney's Docket No.: Camouflage/TL
Patent 09/736,958

Applicants add new claims which define the look of the material without using the word "camouflage". In addition, applicants respectfully take issue with the comments made by the examiner in rejecting the previous claims. Specifically:

1) The rejection states that simply giving a new name to the same material does not make it patentable. This is agreed. However, it is respectfully suggested that this is not what applicant said. What applicant said is that camouflage is a special kind of pattern that is not easily susceptible of being described. However, most people "know it when they see it", that is, this camouflage pattern is a special kind of pattern. Applicants have submitted new claims which define the camouflage pattern in further detail, without using the word camouflage. In fact, there is a structural difference between this material and the prior art. This is not merely a recitation of intended use. Since the laser modifies chemically the surface of the material, the material itself becomes structurally different than anything in the prior art.

2) The statement that the prior art uses a program output file to define a pattern and form such a pattern is accepted. However, the prior art does not teach or suggest forming a camouflage pattern as defined in the original claims, or forming this special new kind of pattern that are defined in the newly-presented claims.

In view of the above the amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.


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Respectfully submitted,

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MARKED UP VERSION OF CLAIMS

1. (Amended) A method, comprising:
defining a camouflage pattern using a user interface associated with an
automated computer and producing an output file indicative thereof; and
using said output file to control a laser to form a pattern indicative of said
camouflage pattern on a textile material.